

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

2020 MAY 27 PM 4:56

CLERK OF DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY 

KEVIN ROLLINS,

PLAINTIFF,

V.

HOME DEPOT U.S.A., INC.,

DEFENDANT.

§  
§  
§  
§  
§  
§

CAUSE NO. 1:19-CV-259-LY

**ORDER**

Before the court is Defendant's Motion for Summary Judgment filed May 7, 2020 (Doc. #16). Defendant seeks summary judgment on all of Plaintiff's claims, arguing that the evidence shows that Defendant did not breach its duty to provide a safe work environment, and Plaintiff's actions were the sole proximate cause of his injury. Plaintiff's response was due May 21, 2020. *See* W.D. Tex. Local R. CV-7(e) (requiring party opposed to motion to respond within 14 days of service of motion and allowing district court to grant motion as unopposed if no timely response is filed). Pursuant to Local Rule CV-7(e)(2), Defendant's motion may be granted as unopposed, if review of the pleadings reveals that summary-judgment is warranted. *Cf. John v. Louisiana Bd. of Trs. for State Colls. & Univs.*, 757 F.2d 698, 707–10 (5th Cir. 1985). As of the date of this order, Plaintiff has not responded to the motion for summary judgment. Having reviewed the motion and summary-judgment evidence at issue in this cause, the court finds that summary judgment is warranted as to Plaintiff's claims against Defendant.

**IT IS THEREFORE ORDERED** that Defendant's Motion for Summary Judgment filed May 7, 2020 (Doc. #16) is **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiff Kevin Rollins **TAKE NOTHING** by his suit against Defendant Home Depot U.S.A., Inc..

A final judgment shall be filed subsequently.

SIGNED this 27th day of May, 2020.

  
\_\_\_\_\_  
LEE YEAKEL  
UNITED STATES DISTRICT JUDGE